

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 13, 2007

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB262 by Ellis (Relating to compensation for wrongful imprisonment.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB262, Committee Report 1st House, Substituted: a negative impact of (\$3,038,000) through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$1,519,000)
2009	(\$1,519,000)
2010	(\$1,519,000)
2011	(\$1,519,000)
2012	(\$1,519,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from GENERAL REVENUE FUND 1
2008	(\$1,519,000)
2009	(\$1,519,000)
2010	(\$1,519,000)
2011	(\$1,519,000)
2012	(\$1,519,000)

Fiscal Analysis

The bill would double the amount of compensation awarded for wrongful imprisonment. The bill would also add a separate schedule of wrongful imprisonment compensation for persons sentenced to death to \$100,000 per year of wrongful incarceration.

This bill would take effect immediately if it received two-thirds majority votes in both houses of the Legislature. Otherwise, the bill would take effect September 1, 2007

Methodology

According to the Comptroller of Public Accounts, the state currently pays claims averaging a total of \$985,000 per year for wrongful imprisonment compensation. Based on historical data, the payment of

valid claims for compensation would increase by \$1,519,000 per fiscal year.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, ES, MS, KJG, JM